

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

AMARIS SANTIAGO,

Plaintiff,

Case No. 24-cv-69-pp

v.

MARTIN J. O'MALLEY,

Defendant.

**ORDER REQUIRING PLAINTIFF TO FILE AMENDED MOTION FOR LEAVE
TO PROCEED WITHOUT PREPAYING THE FILING FEE**

The plaintiff has filed a complaint seeking judicial review of a final administrative decision denying her claim for disability insurance benefits under the Social Security Act. Dkt. No. 1. She also filed a motion for leave to proceed without prepaying the filing fee. Dkt. No. 3.

To allow the plaintiff to proceed without prepaying the filing fee, the court first must decide whether the plaintiff can pay the fee; if not, it must determine whether the lawsuit is frivolous. 28 U.S.C. §§1915(a) and 1915(e)(2)(B)(i).

The plaintiff's request is inconsistent. The request indicates that the plaintiff has a dependent or dependents she is responsible for supporting, but she does not list the names or initials of those dependents as requested on the form. Dkt. No. 3 at 1. The plaintiff says her total monthly expenses are \$2,000, id. at 3, but the individual expenses she lists actually total \$2,825, id. at 2. The plaintiff states that she does not own a car, id. at 3, but lists car payment(s) of

\$950, id. at 2. Likewise, the plaintiff states she does not own her home, id. at 3, but lists a mortgage payment of \$1,095, id. at 2. The court will ask the plaintiff to file an amended request clearing up the noted inconsistencies. The plaintiff is represented by counsel, who should assist her in filling out the amended request.

The court **ORDERS** that the plaintiff must file an amended request to proceed without prepaying the filing fee by the end of the day on February 9, 2024. If the plaintiff does not provide a new request in time for the court to receive it by the deadline, the court will deny her application to proceed without prepaying the filing fee and will require her to pay the full \$405 filing fee by a date certain.

Dated in Milwaukee, Wisconsin this 19th day of January, 2024.

BY THE COURT:



HON. PAMELA PEPPER
Chief United States District Judge